

# House Study Bill 248

HOUSE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE ON  
LABOR BILL BY CHAIRPERSON  
OLSON)

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

## A BILL FOR

1 An Act prohibiting employers from infringing on employees'  
2 political activities after work hours and if not using company  
3 resources.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
5 TLSB 2446HC 83  
6 ak/nh/5

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1 1 Section 1. NEW SECTION. 730.6 EMPLOYEE POLITICAL  
1 2 EXPRESSION RIGHTS.  
1 3 1. An employer shall not discharge, discipline, sanction,  
1 4 or otherwise penalize, or threaten to discharge, discipline,  
1 5 sanction, or otherwise penalize an employee because the  
1 6 employee participates in political activity or political  
1 7 expression if the political activity or political expression  
1 8 takes place outside of work hours, off of the employer's  
1 9 property, and does not involve the use of the employer's  
1 10 property, or for political signage on an employee's personal  
1 11 vehicle.  
1 12 2. Subsection 1 does not apply to any provision of law or  
1 13 an employment policy that prohibits employees from  
1 14 participating in political activity or political expression,  
1 15 including political signage on a personal vehicle, due to the  
1 16 nature or scope of their employment.  
1 17 3. An employee alleging to be aggrieved by a violation of  
1 18 this section may file a civil action within ninety days after  
1 19 the date of the alleged violation in a court of competent  
1 20 jurisdiction in the county where the violation is alleged to  
1 21 have occurred or where the employer has its principal office.  
1 22 The court may award a prevailing employee all appropriate  
1 23 relief, including reinstatement, back pay, and reestablishment  
1 24 of any employee benefits to which the employee would otherwise  
1 25 have been eligible if such violation had not occurred. The  
1 26 court shall award a prevailing employee treble damages in an  
1 27 amount up to three times the amount of all other damages  
1 28 awarded, reasonable attorney fees, and costs.  
1 29 4. This section shall not be construed to limit an  
1 30 employee's right to bring any other action allowed by law  
1 31 against an employer for wrongful termination or to diminish or  
1 32 impair the rights of a person under a collective bargaining  
1 33 agreement.

## EXPLANATION

1 34 This bill prohibits employers from discharging,  
2 1 disciplining, sanctioning, or otherwise penalizing or  
2 2 threatening to do any of these acts because an employee  
2 3 participates in political activity or political expression if  
2 4 the political activity or political expression takes place  
2 5 outside of work hours, off of the employer's property, and  
2 6 does not involve the use of the employer's property, or for  
2 7 political signage on an employee's personal vehicle. The bill  
2 8 does not apply to any provision of law or employment policy  
2 9 that prohibits employees from participating in political  
2 10 activity or political expression, including political signage  
2 11 on a personal vehicle, due to the nature or scope of their  
2 12 employment.  
2 13 An employee who has been aggrieved by a violation by an  
2 14 employer may file a civil action against the employer for back  
2 15 pay, reinstatement, reestablishment of benefits, treble  
2 16 damages up to three times the amount of all other damages  
2 17 awarded, attorney fees, and costs.

2 18 LSB 2446HC 83  
2 19 ak/nh/5